IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

FIRST APPEAL No. 2005 of 1996

HONOURABLE MR.JUSTICE KS JHAVERI

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GUJARAT STATE ROAD TRANSPORT CORPORATION - Appellant(s)
Versus
SHAKRIBEN RAMANBHAI PATNI & 3 - Defendant(s)

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Appearance :

MR SN SHELAT for Appellant(s) : 1,
MR JM BAROT for Defendant(s) : 1,
NOTICE UNSERVED for Defendant(s) : 2,
NOTICE SERVED for Defendant(s) : 3 - 4.

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CORAM : HONOURABLE MR.JUSTICE KS JHAVERI

Date : 06/07/2006

ORAL JUDGMENT

1. This appeal is directed against the judgement and award dated 24th October 1990 passed by the Motor Accident Claims Tribunal (Main), Mehsana in MAC Petition No.779 of 1984 whereby the claim petition was partly allowed.

2. The original claimant had claimed a total sum of Rs.74000/- against which the award has been passed for a sum of Rs.45200/-.

3. The main contention of the appellant is that the Tribunal ought to have held that the driver of the jeep was equally responsible for the accident.

4. As a result of hearing and perusal of the record, I am of the view that the Tribunal has considered the aspect of negligent in detail and passed the award in question. Nothing is pointed out to take a contrary view of the matter. I am in complete agreement with the reasonings adopted and findings arrived at by the Tribunal.

5. No other contentions are raised.

6. In the premises aforesaid, there are no merits in the appeal. The appeal is, therefore, dismissed. No order as to costs.

[K.S. JHAVERI, J.]

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